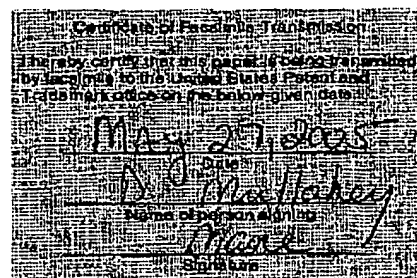


23252



IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Martin ALBERS
Patent App. 10/532,559
Filed 20 April 2005
For SINGLE-USE CLOSURE SYSTEM FOR CONTAINERS
Art Unit Not known

Hon. Commissioner of Patents
Box 1451
Alexandria, VA 22313-1451

REQUEST FOR ASSIGNMENT OF CORRECT FILING DATE

Applicant, by his attorney, the undersigned, respectfully requests assignment of the proper filing date for the present application.

This application was deposited by express mail with the U.S. Patent and Trademark Office on 20 April 2005. According to the receipt stamp on the postcard returned to the undersigned, this case was assigned a receipt date of 22 April 2005 and the serial number 10/532,559. A date of 22 April 2005 is not satisfactory since it is beyond the term for filing this application which is based upon a German application 20216175.7 of 21 October 2002.

- 1 -

BEST AVAILABLE COPY

Atty's 23252

Pat. App. 10/532,559

In support of Applicant's right to the date of 20 April 2005, Applicant submits as Exhibit A a copy of the record of transmittal, signed by Arlene Bernstein, attesting to the fact that the papers were placed in package EV467340903 of express mail on 20 April 2005.

Attached as Exhibit B is a copy of the postcard containing an identical stamp with an identical notation of the express mail label.

Attached as Exhibit C is the formal receipt from the U.S. Postal Service dated 20 April 2005, expressly acknowledging that express mail package.

Attached as Exhibit D is a copy of the outgoing mail log of the office of the undersigned, maintained by said Arlene Bernstein, acknowledging that this application under its attorneys docket number 23252 PCT was placed in that Express Mail package.

Attached as Exhibit E is the customer copy of the express mail receipt acknowledging that the same was properly picked up by the U.S. Postal Service on 20 April 2005.

Ms. Goldstein spoke to Ms. Terry Johnson-Vessel in the legal department regarding this situation.

Atty's 23252

Pat. App. 10/532,559

Since the date of 22 April 2005 in the Patent Office records is incorrect, it is hereby requested that the correct date of 20 April 2005 be assigned to this case.

Respectfully submitted,
The Firm of Karl F. Ross P.C.


By: Herbert Subno, Reg. No. 19,752
Attorney for Applicant

DB-

DATED: May 27, 2005
5676 Riverdale Avenue Box 900
Bronx, NY 10471-0900
Cust. No.: 535
Tel: (718) 884-6600
Fax: (718) 601-1099
Encl: Exhibits A to E

23252

EXHIBIT A

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor **Martin ALBKERS**
Patent App. **Not known (US Nat'l phase of**
PCT/EP2003/011387)
Filed **Concurrently herewith**
For **SINGLE-USE CLOSURE SYSTEM FOR CONTAINERS**

Hon. Commissioner of Patents
Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF EXPRESS OR
FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, or as Express Mail if the number of the Express Mail mailing label is provided below, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on **APR 20 2005**

EV467340903
Express Mail Label Number

Signature
The Firm of Karl F. Ross, P.C.

RECORD OF TRANSMITTAL--PCT APPLICATION

<input checked="" type="checkbox"/>	PCT Transmittal	
<input checked="" type="checkbox"/>	PCT Application	
<input checked="" type="checkbox"/>	Translation	
<input checked="" type="checkbox"/>	Sheets of Drawing (1)	
<input checked="" type="checkbox"/>	PCT Declaration	
<input type="checkbox"/>	PCT Documents	
<input checked="" type="checkbox"/>	International Search Report	
<input checked="" type="checkbox"/>	Preliminary Amendment	
<input checked="" type="checkbox"/>	Assignment (with PTO-1595 and sep. PTO-2038)	
<input checked="" type="checkbox"/>	PTO Data Entry Form	
<input checked="" type="checkbox"/>	PTO-2038 for Official Fees	
<input checked="" type="checkbox"/>	Basic Fee (Large Entity)	\$1000.00
<input type="checkbox"/>	Ind. claims in excess of 3	\$00.00
<input type="checkbox"/>	Claim in excess of 20	\$00.00
	Total	\$1000.00

Please charge any fees not covered by an enclosed PTO-2038 to account 18-2025 of the undersigned.

19 April 2005

5676 Riverdale Ave. Box 900
Bronx, NY 10471-0900
Tel: (718) 884-6600
Fax: (718) 601-1099
Customer No. 535
je

Respectfully submitted,
The Firm of Karl F. Ross P.C.

Herbert Dubno, Reg. 19,752

EXHIBIT B

23252 - Martin ALBERS

US phase of PCT/EP2003/011389
SINGLE-USE CLOSURE SYSTEM
FOR CONTAINERSPCT Transmittal
PCT Application
Translation (English)
1 sheet drawingPct Declaration
Internat. Search Report

Preliminary Amendment

PTO Data Entry Form

Assignment w/PTO-1595 & sep. PTO-2038

Form PTO-2038 (\$1000.00)

Form PTO-2038 (\$40.00 Assig.)

due date: 21 April 2005

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231, on **APR 20 2005**
(Date of Deposit)**EV467346903**
Express Mail Label NumberSignature
The Principal Karl F. Ross, P.C.**1003 Rec'd PCT/PTO 22 APR 2005****10/532559**

EXHIBIT C

**UNITED STATES
POSTAL SERVICE**

***** WELCOME TO *****

RIVERDALE STATION

BRONX, NY 10471-9998

MON.-FRI. 9:00 AM TO 5:00PM

SAT. 9:00 AM TO 2:00 PM

04/20/05 03:55PM

Store	USPS	Trans	88
Wkstn	sys5004	Cashier	BDZPVB
Cashier's Name	FELICITY		
Stock Unit Id	SIAFELICITY		
PO Phone Number	800-ASK-USPS		
USPS #	3558250138		

1. Exp. Mail PD-ADD 0.00

Destination: 20231

Weight: 8.40 oz.

Postage Type: None

Total Cost: 17.85

Base Rate: 17.85

Label#:

EV467340903US

Corporate ACCT.: 104073

Amount Charged: 17.85

Subtotal

0.00

Total

0.00

Number of Items Sold: 1

"Rent a Post Office Box Today "
"For pennies a Day"

APR 21 2005

APR 20 2005

EV467340903

X23252 (get) Albers my (21 Apr)

Hot (P) ...

EXHIBIT D ...

...

...

Service. Customs forms for Express Mail International mailings are not covered by the guarantee. If the addressee is not a designated USPS Express Mail delivery point, the addressee or agent will be attempted before the addressee is returned to the sender. If the addressee is not a designated USPS Express Mail delivery point, the addressee or agent will be attempted before the addressee is returned to the sender. If the addressee is not a designated USPS Express Mail delivery point, the addressee or agent will be attempted before the addressee is returned to the sender.

EXHIBIT E

ants delayed due to customs inspections are also excluded.

ZU EQPOHETJ V3

Please consult your local Express Mail directory for noon and 3 p.m. delivery areas and for information on international and military Express Mail services. See the Domestic Mail Manual for details.

Insurance Coverage: Insurance is provided only in accordance with postal regulations in the Domestic Mail Manual (DMM) and, for international shipments, the International Mail Manual (IMM). The DMM and IMM set forth the specific types of losses that are covered, the limitations on coverage, terms of insurance, conditions of payment, and adjudication procedures. Copies of the DMM and IMM are available for inspection at any post office and online at pe.usps.gov. If copies are not available and information on Express Mail insurance is requested, please contact your master prior to mailing. The DMM and IMM consist of federal regulations, and USPS personnel are not authorized to change or waive these regulations or grant exceptions. Limitations prescribed in the DMM and IMM provide, in part, that:

- The contents of Express Mail shipments defined by postal regulations are insured against loss, damage, and theft. Coverage up to \$100 per shipment is included at no additional charge. Additional coverage up to \$5,000 per shipment may be purchased for an additional fee; however, additional insurance is void if the item is not properly packaged.
- Coverage is provided for the actual cash value of the contents of the shipment, not to exceed the limit fixed for the insurance coverage obtained.
- Items defined by postal regulations as "nonnegotiable documents" (including checks, money orders, and other negotiable instruments) are insured up to a maximum of \$15 per shipment.

For international Express Mail shipments, insurance coverage may vary by country and may not be available to some countries. Insurance is not provided for items containing coins, banknotes, currency notes (paper money), securities of any kind (including checks, platinum, gold, and silver (manufactured or not), precious stones, jewelry, and other valuable or prohibited articles.

Items defined by postal indemnity regulations as "nonnegotiable documents" are insured against loss, damage, and theft up to \$100 per shipment for domestic mailings. Subject to additional limitations for multiple pieces lost or damaged in a single catastrophic occurrence, Document Reconstruction Insurance provides reimbursement for the reasonable costs incurred in reconstructing duplicates of nonnegotiable documents mailed. Document reconstruction insurance coverage above \$100 per shipment is NOT available, and attempts to purchase additional document insurance are void.

No coverage is provided for consequential losses due to loss, damage, or delay of Express Mail or for concealed damage, spoilage of perishable items, and articles improperly packaged or too fragile to withstand normal handling in the mail.

COVERAGE, TERMS AND LIMITATIONS ARE SUBJECT TO CHANGE. Please consult Domestic Mail Manual and International Mail Manual, both of which are available at pe.usps.gov, for additional limitations and terms of coverage.

Claims: Original customer receipt of the Express mail label must be presented when filing an indemnity claim and/or for a postage refund.

- All claims for delay, loss, damage, or filing must be made within 90 days of the date of mailing; for international, call 1-800-222-1811.
- Claim forms may be obtained and filed at any post office.

To file a claim for damage, the article, container, and packaging must be presented to the USPS for inspection. To file a claim for loss of contents, the container and packaging must be presented to the USPS for inspection.



EV 467340903 US



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)			
PO ZIP Code 75471	Day of Delivery <input type="checkbox"/> First <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/> Yes <input type="checkbox"/> No	Postage \$ 12.85
Date of Mailing 07/24/05	<input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day	Return Receipt Fee \$	
Time of Mailing 3:35 PM	<input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day	COO Fee	Insurance Fee
Weight 8.46 lbs	Initial Alpha Country Code		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees \$ 12.85	

DELIVERY (POSTAL USE ONLY)		
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	

CUSTOMER USE ONLY	
METHOD OF PAYMENT Express Mail Corporate Acct. No.	x104873
FROM: (PLEASE PRINT) THE FIRM OF KARL F ROSS P.C. 5676 RIVERDALE AVE STE 310 BRUNK NY 10471-2100	PHONE: 718, 884 6600

TO: (PLEASE PRINT)	
HON. COMMISSIONER OF PATENTS WASHINGTON DC 20231-0001	PHONE: 202 31-0001

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FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



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